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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.11039 OF 2024
[FOR WITHDRAWAL]
IN
FIRST APPEAL NO.333 OF 2020

Tukaram Pandurang Raut and Anr. ...Applicant

In the matter between:-

Bajaj Allianz General Insurance
Company Limited ...Appellant

vs.

Tukaram Pandurang Raut and Ors. ...Respondents

Mr.Rushikesh Kale:-	Advocate for Applicants.
Mr.Pandit Kasar i/b. Mr.Sarthak Diwan:-	Advocate for Respondent Nos.1 & 2.

CORAM : S. M. MODAK, J.

DATE : 27th AUGUST 2024

P. C. :-

FIRST APPEAL NO.333 OF 2020

1. Heard learned Advocate Shri.Kasar for the Appellant Insurance Company and learned Advocate for Respondent Nos.1 and 2. If, Respondent Nos.3, 4 and 5 are not served, let the Appellant to take

steps. Learned Advocate for Respondent Nos.1 and 2 waives notice.

2. **Call Record and Proceeding.**

3. Stand over to **22nd October 2024.**

INTERIM APPLICATION NO.11039 OF 2024

4. Heard both the sides.

5. The Claimants are the parents of the deceased. There was a claim about breach of the policy. It was answered in the negative for want of evidence. The Claims Tribunal directed Rs.1,00,000/- (Rupees One Lakh Only) to be kept in fixed deposit in the name of the Petitioner No.1 – Tukaram and Rs.2,00,000/- (Rupees Two Lakh Only) in the name of the Petitioner No.2 – Sangita for three (3) years. They are claiming for relaxation of that condition. They are entitled for 75% withdrawal. Hence, order:-

ORDER

- (i) The Claims Tribunal is directed to pay 75% of the deposited amount along with accrued interest to Respondent Nos.1 and 2 equally.
- (ii) The fixed deposit receipt be encashed.
- (iii) The remaining amount be kept in fixed deposit.

6. In view of that, **Interim Application stands disposed of.**

[S. M. MODAK, J.]